UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:12Cr108

UNITED STATES OF AMERICA,)	
Plaintiffs)	
)	
)	
VS.)	ORDER
)	
JUSTIN KELLY,)	
)	
Defendants)	

UPON MOTION of the United States of America, the Court grants leave to the United States to seek dismissal of Count Two of the Superseding Bill of Indictment in the above-captioned case and hereby orders the DISMISSAL of said Count Two without prejudice.

The Court has previously dismissed Count One of the Superseding Bill of Indictment.

THEREFORE, Count Two is DISMISSED without prejudice,

AND THEREFORE, since no further Counts are outstanding, the Clerk of Court is directed to close this case.

Signed: January 22, 2013

Frank D. Whitney

United States District Judge